

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

GUADALUPE GUAJARDO, JR., *et al.*,

Plaintiffs,

v.

TEXAS DEP'T OF CRIMINAL
JUSTICE,

Defendant.

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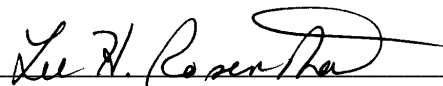
CIVIL ACTION NO. H-71-570

ORDER

Texas prison inmate Barry Emmett (TDCJ #1383329) has filed a motion for membership in a class. This case was a class action involving the TDCJ correspondence rules. (Docket Entry No. 1111). This case has been closed for several years; the consent decree was terminated in September 2002 and the United States Court of Appeals for the Fifth Circuit affirmed that decision. *See Guajardo v. Texas Dep't of Crim. Justice*, 363 F.3d 392 (5th Cir. 2004). Because the consent decree has been terminated, it no longer provides any basis for the relief Emmett seeks. His motion, Docket Entry No. 1111, is **DENIED**.

The Clerk of Court will provide a copy of this order to Barry Emmett (TDCJ #1383329), at his assigned unit.

SIGNED on August 13, 2010, at Houston, Texas.



Lee H. Rosenthal
United States District Judge